

senting to the purchase by the United States of land as contemplated by Art. I, Sec. 8, Cl. 17 of the Constitution of the United States, which provides that "The Congress shall have the power \* \* \* to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings." The other method is by legislation expressly ceding jurisdiction to the United States. Enactments of the former class are usually referred to as "consent-to-purchase statutes," and those of the latter class as "cession statutes." However, the term "cession statutes" is often used to refer to enactments of either class.

**14. Similarity in two methods by which State relinquishes jurisdiction.**—While cases have emphasized a procedural distinction in the two methods by which a State may relinquish jurisdiction to the Federal Government, the difference in their practical effect is more apparent than real. By either method a State may grant either exclusive or partial jurisdiction, the same conditions and reservations may be applied to each, and, in the main, the same rules of construction are applicable to each. Each is in effect a cession of jurisdiction. The distinction once recognized in the effect of the two methods was an outgrowth of the progressive history of the subject and did not spring from any specific rule or principle of law.

**15. Reciprocal status of State and Federal Governments.**—For some time following the adoption of the Constitution the belief existed that the United States could not acquire lands within the States except in the manner expressly provided by Art. I, Sec. 8, Cl. 17, of the Constitution.<sup>1</sup> It was also believed that the general government should be able to exercise complete legislative and political dominion over all lands so acquired. This seems to have been the understanding of Congress when it adopted the Joint Resolution of September 11, 1841,<sup>2</sup> which provides that no public money shall be expended upon any site or land thereafter to be purchased by the United States for the erection of public buildings of any character until the legislature of the State in which the land may be has consented to its purchase. In course of time, however, the sovereign right of the Government to acquire lands within a State needed for its constitutional uses without regard to the consent of the State was recognized. This authority,

<sup>1</sup> *Kohl et al. v. United States*, 91 U. S. 367.

<sup>2</sup> 5 Stat. 468.